

#12
11-14-03
D&N

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Case 8762

In the Application of :
HAMILTON, ET AL. :
Serial No. 10/003,900 : Group Art Unit : 1772
Confirmation No. 7654 :
Filed October 25, 2001 : Examiner : C. A. Simone
For STORAGE WRAP MATERIAL :

DECLARATION UNDER 37 CFR §1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, Andrew Julian Wnuk, declare as follows:

That, I received a Ph.D. degree in materials engineering science from Virginia Polytechnic Institute and State University in 1979;

That, since 1979, I have been an employee of The Procter & Gamble Company in Research and Development;

That, my present title is Research Fellow for The Procter & Gamble Company Corporate Prototype and Packaging Development Division;

That, I am familiar with the subject matter of the above-identified Application and with storage wrap materials;

That, I am familiar with the subject matter in U.S. Patent No. 5,965,235 issued to McGuire, et al.;

That, storage wrap materials generally require a thick adhesive layer to provide sufficient flow into the voids and irregularities of the surface to which the storage wrap material is attached;

That, the application of a thin layer of adhesive (0.00001 inch to 0.0002 inch) to a substrate will not generally provide sufficient flow into the voids and irregularities of the surface to which the storage wrap material is attached;

That, the McGuire reference at Col. 17, lines 39-47 discloses the application of adhesive layers having thicknesses ranging from 0.0005 inch to 0.002 inch to the disclosed substrates;

That, the instant Application is distinguishable from McGuire because the bending resistance of the substrate becomes the limiting factor in the adherence of a food storage wrap to rough or irregular surfaces when thin adhesive layers are used. The instant Application has found that storage wrap materials having adhesive layers thinner than those specified in McGuire can be produced by applying a thin layer of adhesive (0.00001 inch to 0.0002 inch) to a film substrate having a thickness ranging from 0.0001 inch to 0.001 inch;

That, such thin adhesive layers (0.00001 inch to 0.0002 inch) as claimed in the instant Application are desirable because they provide significant cost savings and processing benefits due to the need for less adhesive;

That, disposing a thin adhesive layer (0.00003 inch to 0.00015 inch) upon a sheet material having a thickness ranging from about 0.0001 inch to 0.001 inch is not disclosed or suggested by McGuire.

Further, Declarant sayeth not.

This declaration is made with the knowledge that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed true, and further that willful false statements and the like are punishable by fine or imprisonment, or both under 18 USC §1001 and may jeopardize the validity of the application or any patent issuing thereon.

11/4/03

Date

John Peter Wenzel

Declarant

18 US 1001 Whoever, in any matter within the jurisdiction or any department or agency of the United States knowingly and willfully falsifies, conceals or covers up by any trick, scheme, or advice a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than five years, or both.